

**UNITED STATES DISTRICT COURT
DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

UNIVERSITY OF NEBRASKA AT
KEARNEY; BOARD OF REGENTS
OF THE UNIVERSITY OF
NEBRASKA; DAVID BRANDT;
CHERYL BRESSINGTON; CHRISTY
HORN; and GAIL ZELLER,

Defendants.

CASE NO. 4:11CV3209

**ORDER GRANTING JOINT MOTION TO AMEND THE PROGRESSION
ORDER**

It is HEREBY ORDERED that the parties' Joint Motion to Amend the Progression Order (ECF No. 17) is hereby GRANTED, and the following deadlines shall be reset as follows:

- (1) Plaintiff shall disclose all expert witnesses and shall provide the reports required by Rule 26(a)(2), Fed.R.Civ.P., no later than **November 9, 2012.**
- (2) Defendants shall disclose all expert witnesses and shall provide the reports required by Rule 26(a)(2), Fed.R.Civ.P. , no later than **December 7, 2012.**
- (3) Plaintiff shall disclose all rebuttal expert witnesses and shall provide the reports required by Rule 26(a)(2), Fed.R.Civ.P., no later than **December 24, 2012.**
- (4) The parties shall complete all discovery in this case no later than **February 1, 2013.** Motions to compel Rule 33 through 36 discovery must be filed by **January 18, 2013.**

- (5) Any motion to dismiss, motion for summary judgment or motion for judgment on the pleadings shall be filed no later than **March 8, 2013**.
- (6) Motions to exclude expert testimony on *Daubert* and other related grounds shall be filed no later than **April 5, 2013**.
- (7) The trial of this case is set to commence before the Honorable John M. Gerrard, in Courtroom 1, United States Courthouse, Lincoln, Nebraska at 9:00 a.m. on **June 17, 2013**, or as soon thereafter as the case may be called, for a duration of four (4) trial days. This case is subject to the prior trial of criminal cases and such other civil cases as may be scheduled for trial before this one. Jury selection will be held at commencement of trial.
- (8) The Pretrial Conference is scheduled to be held before the undersigned magistrate judge on **June 6, 2013** at 9:00 a.m., and will be conducted by WebEx conferencing. To facilitate this conferencing method, the parties' proposed Pretrial Conference Order and Exhibit List(s) must be emailed to zwart@ned.uscourts.gov, in either Word Perfect or Word format, by 5:00 p.m. on June 5, 2013. An email will be sent to counsel of record with the instructions and codes for participating in the pretrial conference by WebEx.
- (9) A telephonic conference with the undersigned magistrate judge remains set to be held on **August 30, 2012** 10:00 a.m. to discuss the status of case progression and potential settlement. Counsel for plaintiff shall place the call.

Dated this 27th Day of June, 2012.

BY THE COURT:

s/ Cheryl R. Zwart
United States Magistrate Judge